

REMARKS

Claim Status

Claims 1-17 are pending in the application. This paper amends claims 4, 6-7, and 17.

Restriction Requirement

The Office Action required election between Figures 6D and 7D. Applicants hereby elect Figure 7D with traverse. Applicants submit that claims 4-17 are readable on Figure 7D.

Figure 7D shows a package that is similar to the package of Figure 6D, but also includes interior side wall members. Thus, Figure 7D and 6D appear to be related as combination and subcombination, as defined in MPEP § 806.05(a). To support a requirement for restriction between combination and subcombination inventions, both two-way distinctness and reasons for insisting on restriction are necessary. MPEP § 806.05(c). The inventions are distinct if it can be shown that the claimed combination (A) does not require the particulars of the subcombination as claimed for patentability, and (B) the subcombination can be shown to have utility either by itself or in another materially different combination. *Id.* In order to establish reasons for insisting upon restriction, one of the following factors must be shown by appropriate explanation: (A) separate classification, (B) separate status in the art, or (C) a different field of search. MPEP §§ 806.05(c) and 808.02.

Applicants respectfully submit that the restriction should be withdrawn at least for the reason that the Office Action did not make a showing of a separate classification, a separate status, or a different field of search.

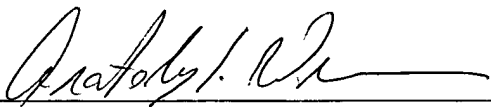
CONCLUSION

To discuss any matter pertaining to the instant application, the Examiner is invited to call the undersigned attorney at (858) 720-9431.

Having made an effort to bring the application in condition for allowance, a notice to this effect is earnestly solicited.

Respectfully submitted,

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